

Michael P. Lehmann (77152)
COHEN, MILSTEIN, HAUSFELD & TOLL, P.L.L.C.
mlehmann@CMHT.com
One Embarcadero Center
Suites 526 A & B
San Francisco, CA 94111
Telephone: (415) 623-2047
Facsimile: (415) 433-5994
[Additional counsel listed on signature page]

Counsel for Plaintiffs and the Proposed Class

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE INTERNATIONAL AIR
TRANSPORTATION SURCHARGE
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

*Won B. Kang and Joong H. Kang
v. Korean Airlines Co., Ltd., et al.,
Case No. C-07-05406-EMC*

*Christopher James Lee and Yang Hee Lee
v. Korean Airlines Co., Ltd., et al.,
Case No. C-07-05407-VRW*

Peter Kim v. Korean Airlines Co., Ltd., et al., Case No. C-07-05409-BZ

Master File No. M:06-1793-CRB

MDL No. 1793

**DECLARATION OF MICHAEL P.
LEHMANN IN SUPPORT OF
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES
SHOULD BE RELATED**

The Honorable Charles R. Breyer

I, Michael P. Lehmann, declare as follows:

1. I am a partner at the law firm of Cohen, Milstein, Hausfeld & Toll, P.L.L.C. in San Francisco, California and am admitted to practice before this Court. I am counsel for Plaintiffs Won B. Kang and Joong H. Kang in *Kang v. Korean Air Lines Co. Ltd. et al.*, Case No. C-07-5406-EMC (“Kang”); Christopher James Lee and Yang Hee Lee in *Lee v. Korean Air Lines Co. Ltd. et al.*, Case No. C-07-5407-VRW (“Lee”); and Peter Kim in *Kim v. Korean Air Lines Co. Ltd. et al.*, Case No. C-07-5409-BZ (“Kim”). I submit this Declaration in support of Plaintiffs’ Administrative Motion to Consider Whether Cases Should Be Related.

1 2. On August 2, 2007, Plaintiffs Myung K. Park, Issun K. Park, and Hee Ho Chung
 2 filed a Complaint in the Northern District of California alleging a conspiracy to fix the fares,
 3 including fuel surcharges, for passenger air transportation between the United States and the
 4 Republic of Korea (“Korea”). That complaint, styled *Chung, et al. v. Korean Air Lines Co., Ltd.*,
 5 *et al.*, Case No. C-07-3985-CRB (“Chung”), asserts violations of Section One of the Sherman
 6 Antitrust Act, 15 U.S.C. §1. The *Chung* complaint is the low-numbered complaint in the
 7 Northern District of California alleging that Korean Air Lines Co., Ltd. and Asiana Airlines, Inc.
 8 conspired to set fares charged for passenger air travel between the United States and Korea.
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10 3. The *Chung* action was subsequently related to *In re International Air*
 11 *Transportation Surcharge Antitrust Litigation*, Case No. M:06-1793-CRB, MDL No. 1793
 12 (“MDL Action”) by Order dated August 23, 2007. Since that time, the Court has related the
 13 following additional cases, each of which involves allegations substantially similar to the *Kang,*
 14 *Lee and Kim* cases, to the MDL Action:

15 *Hwa Ja Chung v. Korean Air Lines Co., Ltd.*, Case No. C-07-4016-BZ

16 *Ben Lee v. Korean Air Lines Co., Ltd.*, Case No. C-07-4085-JL

17 *Yun Choi v. Korean Air Lines Co., Ltd.*, Case No. C-07-4173-JCS

18 *Yoon S. Chang v. Korean Air Lines Co., Ltd.*, Case No. C-07-4244-MMC

19 *Kirby K. Kim v. Korean Air Lines Co., Ltd.*, Case No. C-07-4245-MEJ

20 *Scott McLean v. Korean Air Lines Co., Ltd.*, Case No. C-07-4297-SC

21 *Martin Kauffman v. Korean Air Lines Co., Ltd.*, Case No. C-07-4349-JSW

22 *Kaz Fujita v. Korean Air Lines Co., Ltd.*, Case No. C-07-4489-JL

23 *Morris v. Korean Air Lines Co., Ltd.*, Case No. C-07-4576-JSW

24 *Amy Bricker v. Korean Air Lines Co., Ltd.*, Case No. C-07-4508-MEJ

25 *Michael Lee v. Korean Air Lines Co., Ltd.*, Case No. C-07-4509-MMC

1 *Tae Ki Hwang v. Korean Air Lines Co., Ltd.*, Case No. C-07-4891-EDL

2 *Chajeon Ko v. Korean Air Lines Co., Ltd.*, Case No. C-07-4977-EDL

3 *Jason Kim v. Korean Air Lines Co., Ltd.*, Case No. C-07-5093-MEJ

4 *Junghee Kay v. Korean Air Lines Co., Ltd.*, Case No. C-07-5142-WDB

5 *Kangsik Kay v. Korean Air Lines Co., Ltd.*, Case No. C-07-5171-MEJ

6 *Jo Kyu Chun v. Korean Air Lines Co., Ltd.*, Case No. C-07-5216-JL

7 *Yim, et al. v. Korean Air Lines Co., Ltd.*, Case No. C-07-5143-JCS

9 4. Plaintiffs Won B. Kan, Joong H. Kang, Christopher James Lee, Yang Hee Lee,
10 and Peter Kim have not appeared in any of the above-listed related actions currently pending in
11 the Northern District of California. Civil Local Rule 3-12 requires that an Administrative Motion
12 to Consider Whether Cases Should be Related be promptly filed. Accordingly, and as the
13 Defendants are in the process of being served, a stipulation could not be obtained prior to filing
14 Plaintiffs' Administrative Motion.

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16 I declare under penalty of perjury under the laws of the United States that the foregoing is
17 true and correct. Executed this 1st day of November, 2007 at San Francisco, California.
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19 /s/ Michael P. Lehmann
20 Michael P. Lehmann
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